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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 28th day of January, 1998.

In the Matter of the Application of USA eXchange)
LLC, d/b/a OMNIPLEX Communications Group for a)
Certificate of Service Authority to Provide) Case No. TA-97-506
Basic Local Exchange and Local Exchange)
Telecommunications Services in the State of)
Missouri.)

ORDER APPROVING TARIFF

The Commission granted to USA eXchange LLC, d/b/a OMNIPLEX (Omniplex) a certificate of service authority to provide basic local and local exchange telecommunications services in Missouri by order issued on October 29, 1997. The order, which took effect on November 11, directed the company to file tariff sheets reflecting the rates, rules, regulations it will use and the services it will offer, and provided that Omniplex's certificate would become effective concurrent with the effective date of the company's proposed tariffs. The October 29 order temporarily waived the filing of a 45-day tariff as required by 4 CSR 240-2.060(4)(H) because, at the time the company filed for certification, it did not have any Commission-approved interconnection agreement that enabled it to provide basic local exchange services. The Commission approved Omniplex's resale agreement with Southwestern Bell Telephone Company (SWBT) in Case No. TO-97-543 on September 10, and so the Commission ordered Omniplex to file tariff sheets for approval no later than 30 days after the October 29 order granting Omniplex's certificate became effective.

Omniplex filed the required tariff sheets (P. S. C. Mo. No. 2) on November 13, with an effective date of December 28. The company filed

substitute sheets on December 4 and December 23, and on January 7, 14, 15 and 20, 1998. Omniplex extended the effective date of the tariff to January 30.

The tariff sets forth the charges, rules and regulations which Omniplex will use to provide resold basic local and local exchange telecommunications services in the territories currently served by SWBT. On January 14, Omniplex filed a motion to amend its application and to modify its conditional certificate of service authority to authorize the company to provide service in the areas currently served by GTE. While Omniplex has also obtained approval for its resale agreement with GTE Midwest Incorporated and GTE Arkansas (collectively, GTE) in Case No. TO-98-193, P. S. C. Mo. No. 2 does not include any provisions for service in the areas served by GTE. Therefore, the Commission need not rule on Omniplex's motion to modify the certificate of service authority prior to ruling on the pending tariff.¹

The Commission's Staff reviewed the tariff sheets and filed a Memorandum on January 21 recommending that the Commission approve them as amended. Staff stated that Omniplex intends to offer both business and residential services in all exchanges served by SWBT. Staff mentioned that P. S. C. Mo. No. 2 applies to resold Metropolitan Calling Area (MCA) service and to resold Calling Features such as Call Forwarding, Call Return, Call Waiting, Caller I.D., Repeat Dialing, Speed Calling, Call Return, and Call Blocking services. Staff stated that Omniplex also intends to offer resold Local Operator Assistance service, Local Directory Assistance, Direct Inward Dialing (DID) services, Integrated Services

¹ The Commission will address Omniplex's motion to amend its certificate of service authority in a separate order.

Digital Network (ISDN) services, toll service and other miscellaneous services. Staff noted that Omniplex's tariff is in compliance with the Commission's order granting Omniplex a certificate of service authority to provide basic local exchange telecommunications service in SWBT's territory, and with the Commission's rules and regulations, and includes appropriate language regarding 911/E911 service, deposits, caller I.D., operator services and service disconnections. According to Staff, Omniplex's proposed rates are structured identically to SWBT's and are comparable to the rates of other companies offering similar services. Staff recommended that the Commission approve the tariff as amended.

The Commission has reviewed the tariff sheets, the Staff's recommendation, and the pleadings in this case and the other related cases discussed above. The Commission finds that the tariff sheets conform to the Commission's order of October 29, 1997, are similar to tariffs approved for other competitive local exchange carriers and should be approved as amended to become effective on January 30, 1998. The Commission concludes that the conditions stated in the October 29, 1997, order for Omniplex's certificate of service authority to provide basic local and local exchange telecommunications service will be fulfilled, with respect to the areas currently served by SWBT, at the time P. S. C. Mo. No. 2 takes effect.

THEREFORE, IT IS ORDERED:

1. That the tariff sheets filed by USA eXchange LLC, d/b/a OMNIPLEX on November 13, 1997, are approved as amended to become effective on January 30, 1998. The tariff sheets approved are:

P.S.C. Mo. No. 2

Original Title Sheet through Original Sheet No. 46

2. That the certificate of service authority granted to USA eXchange LLC, d/b/a OMNIPLEX on October 29, 1997, to provide basic local and local exchange telecommunications service in areas currently served by Southwestern Bell Telephone Company shall take effect on January 30, 1998.

3. That this order shall become effective on January 30, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer
and Murray, CC., concur.

Randles, Regulatory Law Judge

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JAN 29 1998

**COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION**